

109TH CONGRESS  
1ST SESSION

# H. R. 3032

To require manufacturers and retailers to provide disclosure to consumers that analog televisions will no longer receive broadcast transmissions after the public broadcast spectrum changes to digital after December 31, 2006.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2005

Mr. GENE GREEN of Texas (for himself and Mr. GONZALEZ) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require manufacturers and retailers to provide disclosure to consumers that analog televisions will no longer receive broadcast transmissions after the public broadcast spectrum changes to digital after December 31, 2006.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “TV Truth Act of  
5 2005”.

1 **SEC. 2. NOTICE TO CONSUMERS REGARDING ANALOG**  
2 **TELEVISIONS.**

3 (a) **MANUFACTURER LABELING REQUIREMENT.**—It  
4 is unlawful for any manufacturer of an analog television  
5 to ship such a television in interstate commerce unless the  
6 disclosure required in subsection (d) is displayed—

7 (1) on a removable label placed on the screen  
8 of such television; and

9 (2) in a clear and conspicuous manner, on the  
10 outside of the retail packaging of such television.

11 (b) **RETAIL NOTICE REQUIREMENT.**—It is unlawful  
12 for any retail distributor to sell at retail or rent any analog  
13 television unless such distributor places adjacent to such  
14 television, a sign containing the disclosure required by  
15 subsection (d).

16 (c) **INTERNET SALES NOTICE REQUIREMENT.**—It is  
17 unlawful to sell, by means of an Internet transaction, any  
18 analog television unless, prior to the conclusion of such  
19 sale and as part of such Internet transaction, the seller  
20 provides the buyer with a clear and conspicuous notice  
21 containing the disclosure required by subsection (d).

22 (d) **CONTENT OF DISCLOSURE.**—The disclosure re-  
23 quired by this section shall state, in both English and  
24 Spanish languages, the following: “THIS ANALOG TEL-  
25 EVISION WILL NO LONGER RECEIVE A BROAD-  
26 CAST TELEVISION SIGNAL WITHOUT ADDI-

1 TIONAL EQUIPMENT AS EARLY AS DECEMBER  
2 31, 2006, WHEN U.S. FEDERAL LAW WILL RE-  
3 QUIRE BROADCAST TELEVISION TRANSMISSION  
4 TO CHANGE FROM ANALOG SERVICE TO DIG-  
5 ITAL SERVICE. FOR MORE INFORMATION, CALL  
6 THE FEDERAL COMMUNICATIONS COMMISSION  
7 AT 1-888-225-5322 (TTY: 1-888-835-5322) OR  
8 VISIT THE COMMISSION'S WEBSITES AT:  
9 [www.dtv.gov](http://www.dtv.gov) or [www.fcc.gov](http://www.fcc.gov).”

10 **SEC. 3. ANALOG TELEVISION DEFINED.**

11 As used in this Act, the term “analog television”  
12 means an apparatus designed to receive television signals  
13 that is not capable of receiving and displaying signals in  
14 the digital television service on the channels allocated to  
15 such broadcasts.

16 **SEC. 4. ENFORCEMENT BY THE FTC.**

17 A violation of this Act shall be treated as a violation  
18 of a rule defining an unfair or deceptive act or practice  
19 prescribed under section 18(a)(1)(B) of the Federal Trade  
20 Commission Act (15 U.S.C. 57a(a)(1)(B)). The Federal  
21 Trade Commission shall enforce this Act in the same man-  
22 ner, by the same means, and with the same jurisdiction  
23 as though all applicable terms and provisions of the Fed-  
24 eral Trade Commission Act were incorporated into and  
25 made a part of this Act.

1 **SEC. 5. EFFECTIVE DATE.**

2       This Act shall take effect on the date that is 90 days  
3 after the date of enactment of this Act.

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